



The Daily Senator

Arizona Senate — 45th Legislature

MONDAY
MARCH 25, 2002
SECOND REGULAR SESSION
DAY SEVENTY-ONE

SENATOR JOE EDDIE LOPEZ

Riddle of the Day:

What am I?
I start with "e"
and end with "e"
but contain only one letter.
(see bottom for answer)

Floor Schedule:

Monday 11:30 am
Tuesday 9:30 am
Wednesday 10:00 am
Thursday 10:00 am

Inside This Issue:

Senator Joe Eddie Lopez 1
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Riddle Answer:

An envelope



Senator Lopez has spent much time in public service. He says, "I consider that to be a person's greatest calling." Senator Lopez is currently serving his sixth year in the Senate, following six years in the House of Representatives. Prior to that, he spent four years on the Maricopa County Board of Supervisors. He also represents Arizona in the Tourism and Economic Development Committee of the NCSL. Senator Lopez is also a National Advisory Panel member of the Hispanic Border Leadership Institute. He also serves as a member of Mexican-American Legislators Policy Institute. Senator Lopez is a member of the Senate committees on Education, Family Services and Transportation.

Education, employment and healthcare issues are most important to Senator Lopez. He says it "a great opportunity to devote oneself to these things." Progress is slow; education is still bad for Latinos and Native Americans and only 50% of those who begin kindergarten graduate from high school. Senator Lopez has also had an active voice on the equal wage issue, introducing SB 1278 this session. Medical care for the poor is also in bad shape, and Senator Lopez had hopes of being more successful in addressing these issues and curbing the problems. "I have been able to at least maintain a level of service to the community," he says. "Things haven't gotten worse." Senator Lopez adds that, though it can be frustrating sometimes, the legislative process does work.

Senator Lopez is a full-time legislator. "I look at this as a job, and I made a promise to my electorate that I would serve full time." The title is not important to him; having been able to address important issues is "probably the most gratifying thing for me," Senator Lopez says. He visits schools and constituents whenever he can, and has extensive knowledge of his district. Senator Lopez puts an extraordinary amount of time and effort into his job.

In addition to his work as an elected official, Senator Lopez served six years on the Phoenix Union High School Governing Board, and has co-founded and remained active in three organizations. These are Chicanos Por La Causa, Inc., Valle Del Sol, Inc. and the Barrio Youth Project. Senator Lopez also serves as Chairman of the Phoenix Human Relations Commission. Senator Lopez has a wife, two children and two grandchildren. He has lived in Maricopa County since 1949.

If any Senator would like to publish or request an article about an issue or bill they are working on, please contact the office of The Daily Senator at 364-0807.



Today in the Senate

Monday, March 25

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9:00 AM Government (SHR 3)

HB2039 department of veterans' services; continuation (McClure)

Extends the termination date for the Department of Veterans' Services and the Arizona Veterans' Service Advisory Commission from July 1, 2002 to July 1, 2012.

HB2105 county infill incentives (Huffman)

Allows a county board of supervisors to establish an infill incentive district in any unincorporated area of a county and requires the county to adopt an infill incentive plan for the district.

HB2207 county maps and plats; recording (Nelson)

Makes various changes to current statute that outlines how maps or plats are recorded.

HB2213 reviser's technical corrections; 2002 (Brimhall)

Corrects defective and conflicting dispositions of statutory text.

HB2236 city marriage license; fees (Robson)

Allows the city or town clerk to collect one dollar and fifty cents for postage and handling when issuing a marriage license.

HB2412 campaign finance; advertising disclosure (Leff)

Adds certain expenditures made for or against certain ballot measures to the list of expenditures that must be reported as major funding sources.

9:00 AM Finance (SHR 1)

Executive Nominations:

Arizona State Retirement System Board

- Charlotte Deuvall Borchert
- Nathan Carl Tenney

HB2076 schools; revenue bonds; investments (Gray)

Broadens the investment authority of the State Treasurer for the new school facilities revenue bonds and the school improvement revenue bonds.

HB2081 PSPRS; prior service; redemption (Cannell)

Allows all prior service to be redeemable if an employee is with an employer now covered under Public Safety Personnel Retirement System

HB2088 income tax subtraction; dividends; repeal (May)

Eliminates the corporate income tax deduction for dividend income received from Arizona corporations.

HB2178 streamlined sales and use tax (May)

Allows Arizona to send delegates to attend multistate discussions regarding streamlined sales and use taxes.

HB2247 taxpayer services; technical corrections (May)

Makes technical changes and clarifies the definition of tax ruling in the case of closing agreements to conform to existing statute.

HB2334 beneficiary deeds (Voss)

Makes various clarifying and technical changes to Arizona's beneficiary deed law.

SB1257 bonding authority; board of regents (Hellon)

Removes the Legislature's authority to issue bonds to acquire one or more projects for a university institution and stipulates that the Arizona Board of Regents (ABOR) is authorized to issue bonds if ABOR does not spend more than ten percent of its annual capital debt expenditures and receives approval from the Joint Legislative Committee on Capital Review.

SB1358 use tax; natural gas (Guenther)

Specifies which electric and natural gas utility services are subject to transaction privilege tax and use tax. Applies state use tax to the purchase of unbundled natural gas utility services. Allows counties to levy use tax on the storage of electric or natural gas utility services.

11:30 AM Floor

Upon Recess of Floor

Rules (Second Floor Caucus Room)

SB1026 appropriation; motorcycle safety (Smith)

SB1060 finances; technical correction (Solomon)

SB1270 biotechnology research; appropriation (Gerard)

SB1372 appropriation; community airport grants (Guenther)

SB1375 methamphetamine labs; clean up guidelines (Martin)

SB1378 state employees; Arizona government university (Solomon)

Today in the Senate

Monday, March 25



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SB1440 collective bargaining; public safety employees (Valadez)

SB1455 income tax credit; nurses (Gnant)

1:30 PM COW and Third Read

COW AGENDA: See Pink Insert

Third Read AGENDA: See Blue Insert

Upon Adjournment

Democratic Caucus (First Floor Caucus Room)
Republican Caucus (Second Floor Caucus Room)

Caucus AGENDA: See Green Insert

Upcoming in the Senate

Tuesday, March 26–Thursday, March 28

Tuesday, March 26

9:30 AM COW and Third Read

1:30 PM Health (SHR 2)

HB2012 board of osteopathic examiners; continuation (Huppenthal)

HB2014 board of dispensing opticians (Huppenthal)

HB2015 chiropractic board; continuation (Huppenthal)

HB2017 board of nursing; continuation (Huppenthal)

HB2020 board of psychologist examiners; reciprocity (Huppenthal)

HB2029 board of dental examiners; omnibus (Huppenthal)

HB2359 dialysis technicians; standards; quality committee (Cannell)

HB2464 Arizona prescription drug advisory council (Gullett)

HB2542 physician assistants (Huppenthal)

HCM2002 urban Indian health issues (Gullett)

1:30 PM Judiciary (SHR 1)

Executive Nominations:

- James Moeller, Commission on Appellate Court Appointments

- Barbara J. Polk, Commission on Appellate Court Appointments
- Lauro Amezcua-Patino, MD, Psychiatric Security Review Board
- Frank T. Costanzo, Commission on Trial Court Appointments, Maricopa County
- John Joseph Tuchi, Commission on Trial Court Appointments, Maricopa County
- David Mitchell Smith, Commission on Trial Court Appointments, Pima County

HB2004 importing livestock diseases; penalty (Gleason)

HB2065 state department of corrections; continuation (Hanson)

Continues the Arizona Department of Corrections until July 1, 2012.

HB2124 legislative vacancies (Pierce)

HB2341 immigration and nationality law practice (Voss)

HB2353 venue change; fee payments; time (Voss)
Proposed Strike Everything Amendment: Arizona Civil Rights Act; revisions

HB2358 judges pro tempore; terms (Voss)

Wednesday, March 27

8:30 AM Commerce (SHR 1)

Executive Nominations:

- Thomas F. Reilly, Greater Arizona Development Authority



Upcoming in the Senate

Tuesday, March 26–Thursday, March 28

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Wednesday, March 27 (continued)

- Victor Flores, Arizona Housing Finance Authority
- Robert Wilson Hartley, Structural Pest Control Commission
- Jack Dean Peterson, Structural Pest Control Commission

HB2005 real estate department; subdivisions (Huffman)

HB2006 real estate department; licensing; regulation (Huffman)

HB2007 real estate department; sunset continuation (Somers)

HB2279 motor vehicle dealer franchises (Leff)

10:00 AM COW

1:15 PM Rules (Second Floor Caucus Room)

AGENDA: TBA

1:30 PM COW and Third Read

Upon Adjournment of Floor

Democratic Caucus (First Floor Caucus Room)

Republican Caucus (Second Floor Caucus Room)

Thursday, March 28

8:30 AM Natural Resources, Agriculture and Environment (SHR 1)

Executive Nominations:

- William Carol Porter, Arizona State Parks Board

HB2001 air pollution; jurisdiction; Indian lands (Allen)

Eliminates air pollution on Indian lands by making it a federal issue.

HB2004 importing livestock diseases; penalty (Gleason)

Creates the new crime of knowingly introducing into Arizona an animal or poultry disease or parasite that constitutes a threat to the livestock or poultry industries or to human health or life.

HB2033 small water systems fund (Huffman)

HB2046 Arizona geological survey; sunset continuation (O'Halleran)

HB2063 water resources; annual report (Gleason)

HB2101 water quality appeals board; continuation (Huffman)

HB2102 waste tire program; delay repeal (Huffman)

HB2107 native plant salvage in counties (Huffman)

HB2160 state forester; excess liability funding (Flake)

HB2261 natural gas refueling fee; repeal (Johnson)

HB2263 manufactured housing; assessment (Somers)

HB2442 voluntary vehicle repair and retrofit (Allen)

9:00 AM Transportation (SHR 2)

HB2148 motor carriers; registration; requirements (Cooley)

HB2150 alternative fuel plates; undercover vehicles (Cooley)

HB2154 motor vehicle fleets; temporary registration (Cooley)

HB2503 historic vehicles; commercial driver licenses (Cooley)

10:00 AM COW and Third Read

1:30 PM Banking and Insurance (SHR 2)

HB2026 insurance license; inactive status; military (Carpenter)

HB2027 domestic insurers; investments in subsidiaries (Carpenter)

HB2075 small employer reinsurance program; repeal (Carpenter)

HB2204 insurer rates; forms; review (Carpenter)

HB2276 workers' compensation; loss adjustment expenses (Leff)

ARIZONA STATE SENATE

ACTIVE CALENDAR COMMITTEE OF THE WHOLE #1

March 25, 2002

SB1205 ASU West; land patent; reversion (Cirillo)

Removes, from the conditions established for transferring state land to the Arizona Board of Regents, the requirement that the title or patent of lands transferred ensures that all rights, title and interest in the lands revert back to the State if the ABOR desires to or relinquishes ownership or control of the transferred lands and decides not to use ASU West Campus lands.

FOR: ASU West; Arizona State University

AGAINST: None

EDUCATION 02/14/02 DP (6-1-1-0) (Voting No: Hartley; Not Voting: Hellon)

RULES 03/13/02 PFC

SB1213 home schools; environmental education grants (Burns)

Education Strike Everything Amendment: Caps the expenditures that are exempt from the Revenue Control Limit and the Capital Outlay Revenue Limit of a school district for desegregation expenses at the FY 2001-2002 levels until FY 2003-2004. Requires school district governing boards to biennially report desegregation expenditures to the Arizona Department of Education. Establishes an eight-member Joint Legislative Committee on Desegregation Expenses. *Rules Amendment:* makes technical changes.

FOR: ATRA; Melanie Baca, (self); Arizona School Boards Association; Greater Phoenix Chamber of Commerce; Pinnacle West Capital Corporation; Greater Phoenix Education Management Council; Meyer Turken, (self); Arizona Chamber of Commerce; Arizona Association of Industries; AAI; National Federation of Independent Business; SW Gas

AGAINST: Education Civil Rights Coalition (10 school districts); Arizona Civil Liberties Union; Phoenix Union High School District

NEUTRAL: Tucson Unified School District; Tempe Elementary Schools

EDUCATION 02/14/02 DPA/SE (4-3-1-0) (Voting No: Jackson, Hartley, Lopez J; Not Voting: Hellon)

RULES 03/13/02 PFCA

SB1331 schools; tests; reporting (Aguirre)

Removes the deadline for the State Board of Education to publish and distribute the annual reports for every school, school district and the State. *Education Amendment:* Stipulates that the State Board of Education must publish and distribute the annual reports for every school, school district and the State by September 1 of each year.

FOR: Arizona Department of Education; State Board of Education; Harcourt Educational Measurement

AGAINST: None

EDUCATION 02/14/02 DPA (5-1-2-0) (Voting No: Hartley; Not Voting: Hellon, Petersen)

RULES 03/13/02 PFC

SB1332 state employees; payroll dues deduction (Yrun)

Allows payroll salary deductions for dues in a recognized employee association if at least 1,000 state university employees are members of the organization. *Government Amendment:* Clarifies that the 1,000 people needed for payroll deductions can be from a combination of academic personnel or nonacademic employees of the state university.

FOR: Jeffrey Imig (self); Laura Tabili (self); AFSCME; Linda Bohlke (self)

AGAINST: None

GOVERNMENT 03/15/02 DPA (4-1-1-0) (Voting No: Martin; Not Voting: Burns)

RULES 03/20/02 PFC

SB1338 underground storage tanks (Richardson)

Changes the review requirements for pre-approved underground storage tank cleanup and reduces the requirements for underground storage tank cleanup. *NRAE Amendment:* restores existing corrective action requirements to protect public health, welfare and the environment, provide for the control or cleanup of leaks and be technically feasible; eliminates the requirement that corrective actions for reimbursement from the assurance account be the most cost effective alternative; allows a work plan to reference previously submitted material; makes technical and clarifying changes. *Rules Amendment:* Makes technical changes.

FOR: Arizona Petroleum Marketers Association; Tosco/Service Station Industry; Voluntary Environmental Remediator's Alliance

AGAINST: Sierra Club

NEUTRAL: Arizona Department of Environmental Quality

NRAE 03/14/02 DPA (7-0-1-0) (Not Voting: Brown)

RULES 03/18/02 PFCA

Proposed Richardson Floor Amendment: Restores all existing corrective action requirements; Requires ADEQ to pay for work that is substituted for work outlined in a preapproved work plan, if the cost does not exceed the cost of the preapproved work item and the cost schedules that apply to the substituted work. If the work is not in substitution for a preapproved work item, then the department must pay the costs if they do not exceed the costs of the total preapproved work plan and the cost schedules for the work conducted. Payments for reasonable and necessary work that does not exceed the total preapproved work plan amount are given priority for payment.

SB1353 Arizona agricultural heritage act (Guenther)

Establishes the Arizona Agricultural Heritage Commission and the Arizona Agricultural Heritage Fund within the Department of Agriculture, for the purpose of purchasing agricultural easements. States that the fund will consist of gifts, grants and donations. *NRAE Amendment:* clarifies the Department of Agriculture is required to provide administrative support to the commission only to the extent that monies are available in the Arizona agricultural heritage fund; allows the commission to grant up to five percent of fund monies to the Department of Agriculture for administrative support. *Rules Amendment:* Makes technical changes.

FOR: Young's Farm; The Nature Conservancy of Arizona; Richard Simms (self); Hohokam Irrigation District

AGAINST: None

NEUTRAL: Arizona Cattlemen's Association

NRAE 03/14/02 DPA (7-0-1-0) (Not Voting: Smith)

RULES 03/18/02 PFCA

Proposed Guenther Floor Amendment: Requires the commission to contract with the Arizona Department of Agriculture for administrative and legal services and requires the commission to develop a mediation program to resolve disputes between landowners and easement holders; Changes the name of the commission to the Arizona Agriculture Protection Commission and adds the local production of food and fiber to the purposes of the agricultural easements.

SB1354 protected development rights; procedures (Guenther)

Removes the authority of cities, counties and towns to approve a protected development rights plan. *NRAE Amendment:* allows cities, towns, and counties to specify the types of plan that may be submitted as a protective development right plan. *Rules Amendment:* Makes technical changes.

FOR: Home Builders Association of Arizona; Valley Partnership; Biskind, Hunt & Taylor; Arizona Chamber of Commerce; Hayscale L.L.C.; Robson Communities; Greater Phoenix Chamber of Commerce; Wal Mart Stores, Inc.; Arizona Association of Industries; Arizona Farm Bureau; Community Associations Institute; Arizona Multihousing Association

AGAINST: League of Arizona Cities and Towns; UFCW Local 99; Sierra Club-Grand Canyon Chapter; Grand Canyon Trust; Paul Barnes (self)

NEUTRAL: City of Phoenix

NRAE 03/14/02 DPA (7-1-0-0) (Voting No: Richardson)

RULES 03/18/02 PFCA

ARIZONA STATE SENATE

ACTIVE CALENDAR COMMITTEE OF THE WHOLE #2

March 25, 2002

SB1018 credit reports; copies to consumer (Cirillo)

(BI S/E: insurance underwriting; credit history)

(COM S/E: insurance underwriting; credit history)

FOR: NAI; Arizona Association of Retired Persons; Allstate

AGAINST: Arizona Credit Union League; Household Financial Group

NEUTRAL: Arizona Department of Insurance

COMMERCE	03/13/02	DPA/SE	(5-0-1-0)	(Not Voting: Burns)
BANKING AND INSURANCE	03/14/02	DPA/SE	(5-0-1-0)	(Not Voting: Gerard)
RULES	03/20/02	PFC		

SB1113 Indian nations; tribes; legislative day (Cirillo)

Transfers the authority and responsibility for organization of the Indian Nations and Tribes Legislative Day from the Arizona Legislature to the Arizona Commission on Indian Affairs. *Government Amendment:* Specifies that the Legislative Day will take place on the first Thursday of each regular legislative session. *Rules Amendment:* Makes technical changes.

FOR: Commission of Indian Affairs

AGAINST: Inter-Tribal Council of Arizona

GOVERNMENT	03/15/02	DPA	(4-2-0-0)	(Voting No: Rios, Martin)
RULES	03/20/02	PFC		

SB1146 board of chiropractic examiners (Gerard)

Increases various fees and makes several changes to the complaint adjudication process under the Board of Chiropractic Examiners. *Health Amendment:* Authorizes board to suspend or revoke a license after a formal hearing; makes technical changes.

FOR: Arizona Board of Chiropractic Examiners

AGAINST: None

HEALTH	03/12/02	DPA	(5-0-3-0)	(Not Voting: Verkamp, Guenther, Solomon)
RULES	03/18/02	PFC		

Proposed Cirillo Floor Amendment: Requires annual budget units to develop five-year strategic plans containing strategic issues, a mission statement, description, goals, strategies and resource assumptions.

Proposed Petersen Floor Amendment: Retains the current 15-day prohibition on solicitation.

SB1339 state agencies; administrative procedures; rules (Burns)

Makes various changes to the Arizona Administrative Procedures Act regarding practices and procedures in the rulemaking process. Establishes a regulatory reform and enforcement study committee. Applies licensing time frame rules requirements to the State Land Department. *Commerce Amendment:* Restores current law with respect to including the economic, small business and consumer impact statement as a summary statement in the preamble of a rule-making and as a separate document when an agency submits a rule; Makes conforming changes relating to the elimination of the requirement that an agency prepare and submit a concise explanatory statement to GRRC as a separate document when it submits a rule; Clarifies that an agency is not prohibited from undertaking any rule making action even if that action has not been included in the agency's annual regulatory agenda; Prohibits GRRC from approving a rule if the agency failed to provide in the preamble a reference to a study relevant to the rule that the agency reviewed and either did or did not rely on in its evaluation of or justification for the rule; Shortens, from 90 days to 60 days, the delay of an effective date of a new or amended rule after the rule and preamble are filed in the office of the secretary of state; Maintains the application of licensing time frame rule requirements to licenses issued by the State Land Department, but exempts auctions, leases or exchanges of state trust land from the time frame requirements. *Rules Amendment:* Makes technical changes.

COMMERCE	03/13/02	DPA	(4-2-0-0)	(Voting No: Valadez, Mitchell)
RULES	03/18/02	PFCA		

Proposed Valadez Floor Amendment: Eliminates the provisions relating to licensing time frames for the State Land Department; Clarifies provisions regarding the immediate effective dates of some rules; Makes conforming changes in the Attorney General's review of rules; makes other technical corrections.

SB1413 civic center school fund (Martin)

Allows a school district governing board, superintendent or chief administrative officer to lease school property for any lawful purpose including religious or governmental purposes. Makes specifications regarding fees and fee waivers associated with the lease of school property.

FOR: None

AGAINST: Tucson Area Schools; Arizona School Administrators; Arizona School Boards Association

EDUCATION	03/14/02	DP	(5-1-2-0)	(Voting No: Hartley; Not Voting: Hellon, Lopez J)
RULES	03/20/02	PFCA		

SB1436 state budget cycles (Solomon)

Replaces Arizona's biennial budgeting system with a bifurcated budgeting system, requiring the state's large budget units to be enacted annually rather than biennially. *Appropriations Amendment:* Adds ASU West, ASU East and the judiciary to the major budget units required to submit budgets annually. Requires OSPB to publish a federal funds report annually. Makes the capital process an annual process, and makes technical and conforming changes. *Rules Amendment:* Makes technical changes.

FOR: Office of Strategic Planning and Budgeting

AGAINST: None

APPROPRIATIONS	03/12/02	DPA	(9-1-2-0)	(Voting No: Martin; Not Voting: Verkamp, Guenther)
RULES	03/18/02	PFCA		

ARIZONA STATE SENATE

ACTIVE CALENDAR COMMITTEE OF THE WHOLE #3

March 25, 2002

SB1098 insurance; rental cars (Cirillo)

Banking and Insurance Amendment: Requires rental agencies to obtain proof of public liability insurance; rental agencies are required to provide the proof of public liability insurance to a third party who is involved in a motor vehicle accident with the renter or the third party's agent.

FOR: Arizona Rental Car Coalition; Arizona Tourism Alliance; Enterprise Rent A Car; Rental Car Association; Hertz; Arizona Rental Car Coalition; Thrifty Car Rental; Arizona Rental Car Coalition; Dollar Rent A Car; William Kahn (self);

AGAINST: Progressive Insurance and Alliance of American Insurers; Allstate Insurance & American Family; Farmers Insurance; State Farm; Independent Insurance Agents; Farmers & NAI

NEUTRAL: Arizona Department of Insurance

BANKING AND INSURANCE	03/14/02	DPA/SE	(5-0-1-0)	(Not Voting: Gerard)
RULES	03/20/02	PFC		

SB1154 caregiver and resource expansion program (Gerard)

Requires universities, hospitals and healthcare organizations to create a caregiver and resource expansion program to increase the number of nurses in the state. *Education Amendment:* Requires the plan for fiscal year 2002-2003 to base the obligation for universities and community colleges to expand enrollment to 200 new students consistent with the level of resources committed by hospitals for funding clinical rotations and providing adjunct faculty for nursing education programs from personnel employed by the hospital.

FOR: Arizona Hospital and Healthcare Association; Arizona Nurses Association; Arizona Medical Association; St. Joseph's Hospital; University of Phoenix

AGAINST: Arizona State University; Northern Arizona University; Arizona Community Colleges Association; University of Arizona

NEUTRAL: Arizona Board Of Regents

EDUCATION	03/14/02	DPA	(4-3-1-0)	(Voting No: Bennett, Aguirre, Petersen; Not Voting: Lopez J)
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RULES	03/20/02	PFC		
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SB1202 sex offenses; violent crimes; bail (Martin)

Requires a judicial officer to impose conditions on the pre-trial release of a person charged with a sexual offense. Requires the court to consider multiple factors, including the views of the victim, prior to imposing any conditions or modified conditions on a person released on a bailable offense. *Judiciary Amendment:* Prohibits release on bail if the proof is evident or the presumption great that the person is guilty of sexual assault, sexual conduct with a minor under 15 years of age, or molestation of a child. Removes provision setting minimum bail at \$1 million. Adds to statute three purposes of bail and conditions of release. Prohibits a person, on community supervision for sexual offenses, from residing within 440 feet of a school or its accompanying grounds. *Rules Amendment:* Makes technical changes.

FOR: Arizona Coalition Against Domestic Violence; Matt Salmon, (self); Steve Twist, (self); Julie Lind, (self); Arizona Voice for Crime Victims; Chris Cottrell, (self); Susan Cottrell, (self); Karla Mayberry, (self); Angela Lewis, (self); Maricopa County Attorney's Office; Arizona Association of Chiefs of Police; Phoenix Police Department; Aubrey Thatcher, (self); Karin Warren, (self); Tracy Munsil, (self); Kaitlyn Weas, (self); Rodney Frith, (self); Terry Hoelscher, (self); Wayne Shippy, (self); Andrew Olson, (self); Spencer Hoelscher, (self); Tricia Ford, (self); Nikki West, (self); Leigh Munsil, (self); Mark Weekley, (self); Patricia Christie, (self); Jared Thatcher, (self); Chanell Hallett, (self); Jane Phinney, (self); Sue Weas, (self); Patty Hafer, (self); Melanie Woodruff, (self); Steve Phinney, (self); Nancy Shippy, (self); Hahna Thatcher, , representing self; Richard Woodlands, , representing self; Eric Armenta, , representing self; Dean Hoelscher, , representing self; Diane Lilly, , representing self; Annie Cottrell, , representing self; Patricia Brown, , representing self; Elizabeth Phinney, , representing self; Patty Sepp, , representing self; Holly Craw, , representing self; Alex Bambulas, , representing self; Margaret Kulp, , representing self; John Lilly, , representing self; George Christie, , representing self; Justin Weas, , representing self; Keith Mayberry, , representing self; Nancy Fowler, , representing self; Stephanie Armenta, , representing self; Paul Christie, , representing self; Kristina Buss, , representing self; Kacy Smajstrla, , representing self; Paz Luna, , representing self; Kylee Lowe, , representing self; Kim West, , representing self; Kristin Weas, , representing self; Will Munsil, , representing self; Kevin Buss, , representing self; Richard Woodlands, , representing self; Caleb Thatcher, , representing self; David Cottrell, , representing self; Naomi Shippy, , representing self; Betty Grill, , representing self; Trudy Woodlands, , representing self; Cheldon Hallett, , representing self; Patrick Thatcher, , representing self; Chris Cottrell, representing self; Carol Frith, , representing self; Hannah Cottrell, , representing self; Ken Weas, , representing self; Sharon Carter, , representing self; Susan Weekley, , representing self; Christie Christie, , representing self; Bert West, , representing self; Soccorro Galusha-Luna, , representing self; Robert Cottrell, , representing self; Hallett Mark, , representing self; Wayne Warren, , representing self; Tyler Lewis, , representing self; Valerie Jones, , representing self; Ross Woodruff, , representing self; Harold Mallery, , representing self; Emily Thatcher, , representing self; Kristin Jones, , representing self; Nathaniel Christie, , representing self; Kim Nixon, , representing self; Shelley Olsen, , representing self; Lisa Partridge, , representing self; Paul Shippey, , representing self; Natalie Cottrell, , representing self; Terry Kohuth, , representing self; Trent Lewis, , representing self; Diane Hallett, , representing self; Jan Tuning, , representing self; Kelly West, , representing self; Diana Alessi, , representing self; Jennifer Christie, , representing self; Garry Blackwell, , representing self; Mark Horne, , representing self; Mark Horne, , representing self; Luz Luna, , representing self; Megan Weas, , representing self; Joshua Bamboulas, , representing self; Jessica Phinney, , representing self; Hannah Hoelscher, , representing self; Robyn Thatcher, , representing self; John Bambulas, , representing self; Barb Weber, , representing self; Garnet Mallery, , representing self; Kevin Lind, , representing self; Anna Christie, , representing self; Amy Blackwell, , representing self; Donna Durivage, , representing self; Susan Sellers, , representing self; Christine Horne, , representing self; Mike Nixon, , representing self; Jim Lewis, , representing self; Karla Mayberry, , representing self; Kelly Orrick, Assistant to the Chief of Police, City of Mesa Police Dept

AGAINST: None

JUDICIARY	03/12/02	DPA	(6-0-2-0)	(Not Voting: Rios, Richardson)
RULES	03/18/02	PFCA		

Proposed Martin Floor Amendment: Clarifies a provision in the Judiciary Committee amendment relating to certain sex offenders being prohibited from living within 440 feet of a school when they are released from prison; Changes the prohibition to apply to any person convicted of sexual conduct with a minor under the age of 15 or molestation of a child under the age of 15.

SB1293 entertainment gift ban (Mitchell)

Exempts the employees and members of school district governing boards, community college district governing boards and institutions under the jurisdiction of the Arizona Board of Regents from the lobbyist expenditure ban for sporting or cultural events. *Government Amendments:* Removes references to bonding in the definition of lobbyist and lobbying. Applies the definitions for special events for legislatures to special events for members of the Corporation Commission; County Board of Supervisors, County Governing Board and School District Governing Boards. *Rules Amendment to Government Amendment:* Makes clarifying changes.

FOR: Arizona State University; Peacock, Hislop, Staley & Given; University of Arizona; League of Arizona Cities and Towns; City of Scottsdale; City of Glendale

AGAINST: None

GOVERNMENT	03/15/02	DPA	(5-1-0-0)	(Voting No: Martin)
RULES	03/20/02	PFCA		

SB1343 home loans; prohibited activities (Valadez)

Banking and Insurance Strike Everything Amendment Establishes the Joint Study Committee on Home Loan Practices to review and contrast current practices in the high cost home loan market in Arizona. *Rules Amendment to Strike Everything Amendment:* Makes technical changes.

FOR: William E. Morris Institute for Justice; Arizona Association of Retired Persons; City of Phoenix; Arizona Catholic Conference

AGAINST: Arizona Financial Services Association; Danny Willingham (self); Brent Sherman (self); Preston Rubin (self); American General Finance; Arizona Mortgage Lenders Association

NEUTRAL: Arizona Association of Mortgage Brokers; Arizona Bankers Association

BANKING AND INSURANCE	03/14/02	DPA/SE	(4-1-1-0)	(Voting No: Martin) (Not Voting: Gerard)
RULES	03/20/02	PFCA		

SCR1011 bailable offenses; prohibition (Martin)

Requests voter approval during the next general election of a constitutional amendment making offenses involving sexual assault, sexual conduct with a minor under fifteen years of age or molestation of a child under fifteen years of age nonbailable in specified instances. *Judiciary Amendment:* Creates three purposes of bail and conditions of release. Removes the phrases "violent offenses prescribed by law" and "felony offenses prescribed by law."

FOR: Arizona Coalition Against Domestic Violence; Arizona Criminal Justice Commission; Maricopa County Attorney's Office; Steve Twist (self); Chris Cottrell (self); Julie Lind (self)

AGAINST: None

JUDICIARY	03/12/02	DPA	(6-0-2-0)	(Not Voting: Rios, Richardson)
RULES	03/18/02	PFC		

ARIZONA STATE SENATE

ACTIVE CALENDAR COMMITTEE OF THE WHOLE #4

March 25, 2002

SB1150 health care services organizations; services (Gerard)

Banking and Insurance Strike Everything Amendment: Eliminates the ability of the Director of the Department of Insurance (DOI) to set the definition of basic health care solely through rulemaking while maintaining the current definition of basic health care plan in rule and DOI's ability to implement current and future legislation through the rulemaking process. *Rules Amendment to Strike Everything Amendment:* Makes technical changes.

FOR: Arizona Association of Retired Persons; Norton and Associates; Arizona Association of Industries; United HealthCare of Arizona; CIGNA HealthCare of Arizona; Mayo Health Plan of Arizona; Aetna US HealthCare

AGAINST: None

NEUTRAL: Arizona Department of Insurance; Arizona Ambulance Association

BANKING AND INSURANCE	03/14/02	DPA/SE	(5-0-1-0)	(Not Voting: Gerard)
RULES	03/20/02	PFCA		

SB1172 domestic violence shelter; confidential communications (Solomon)

Establishes that communication made by a domestic violence victim to a domestic violence advocate is privileged. Prohibits disclosure of privileged information without the victim's signed waiver. *Rules Amendment:* Make clarifying changes.

JUDICIARY	03/12/02	DP	(6-0-2-0)	(Not Voting: Rios, Burns)
RULES	03/18/02	PFCA		

SB1173 court ordered treatment (Solomon)

Requires the court to grant to the Department of Public Safety access to certain information regarding a person determined to be a danger to self or others. *Judiciary Amendment:* Requires the court to grant information access to DPS. The amendment also directs two additional pieces of information to be released to DPS, which are a mentally ill person's social security number and termination of treatment date.

FOR: The Mental Health Association; Mental Health Advocates Coalition of Arizona; Arizona Association of Chiefs of Police & Phoenix Police Department; HALT Gun Violence; Americans for Gun Safety

AGAINST: Arizona Association of Counties; Clerk of Superior Court (Maricopa)

NEUTRAL: Administrative Office of the Court

JUDICIARY	03/12/02	DPA	(5-0-3-0)	(Not Voting: Rios, Richardson, Burns)
RULES	03/18/02	PFC		

SB1342 homeowners' associations (Gerard)

Makes widespread changes to homeowners association (HOA) open meeting laws, voting and elections, fines and fees, assessments and liens, document disclosure, prospective purchaser notice requirements. Creates an internal HOA appeals process. *Commerce Amendment:* Returns the termination of declarant control to existing condominium statutes and makes parallel changes to the planned community provisions; Removes the provisions requiring conveyance of common areas and a reserve fund, if applicable, by planned community HOA declarants at the period of termination of declarant control or by the sale of the last unit if there is no period of declarant control; Requires the annual budget for the association to be approved by 2/3 of all the unit owners of an HOA; Prohibits proxy votes allocated to a unit from being cast by a lessee; Prohibits the board from employing or contracting with a management company unless a majority of the board members approves the selection of the management company. *Rules Amendment:* Makes technical changes.

COMMERCE	03/13/02	DPA	(4-1-1-0)	(Voting No: Hamilton; Not Voting: Burns)
RULES	03/18/02	PFCA		

Proposed Gerard Floor Amendment: Restores existing condominium law relating to termination of declarant control and applies parallel changes to the planned community provisions; eliminated provision requiring conveyance of common areas and a reserve fund by a developer to a planned community HOA; prohibits proxy votes to be cast by a lessee; prohibits HOA boards from hiring or contracting with a management company unless approved by a majority of the board members; excludes actions relating to foreclosures, injunctive relief, declaratory relief and against the declarant from the jurisdiction of justices of the peace of HOA members; requires HOA boards to select the third person on an appeals committee in the event that the aggrieved HOA member and the HOA board do not name a third person in 10 business days; removes ability for HOA declaration to provide alternate method for adopting and amending budgets; requires HOA boards to provide notice of a special meeting regarding the removal of an HOA board member.

SB1357 self-funded councils and boards; investments (Guenther)

Establishes the Beef Council fund and allows a number of self-funded agricultural councils and the State Parks Board, rather than the State Treasurer's office, to invest the councils' funds. *NRAE Amendment:* Renames the Cotton Research and Protection Abatement Fund to Cotton Research and Protection Fund. Allows the Cotton Research and Protection Council and the Iceberg Lettuce Research Council to have the State Treasurer invest and divest monies in the funds. *Rules Amendment:* Makes technical changes to bill and NRAE Amendment.

FOR: Yuma Vegetable Shippers Association; Arizona State Parks

AGAINST: None

NRAE	03/15/02	DPA	(5-0-3-0)	(Not Voting: Richardson, Bundgaard, Jarrett)
RULES	03/20/02	PFCA		

SB1360 cotton research council; powers (Guenther)

Expands the powers of the Cotton Research Council to award grants, authorize research programs and administer a motor vehicle fleet. Provides exemptions from the Arizona Procurement Code and the prohibition on state government competition with private enterprise. *NRAE Amendment:* Renames the Cotton Research and Protection Abatement Fund to Cotton Research and Protection Council Fund. Clarifies that the fund may be used for administering the Council and for the abatement of cotton fields. *Rules Amendment:* Makes technical changes to committee amendment.

FOR: Arizona Cotton Growers Association; Arizona Cotton Research Protection Council

AGAINST: None

NRAE	03/15/02	DPA	(5-0-3-0)	(Not Voting: Richardson, Bundgaard, Jarrett)
GOVERNMENT	03/18/02	DP	(5-0-1-0)	(Not Voting: Burns)
RULES	03/20/02	PFCA		

ARIZONA STATE SENATE

THIRD READING

March 25, 2002

SB1280 unemployment insurance; waiting week (Cirillo)

Waives the one-week waiting requirement for eligibility for unemployment benefits for individuals who are required to attend uncompensated training required by a state apprenticeship program. Brings bill to federal compliance.

FOR: Arizona State AFL-CIO; Ted Lewis (self); Sheet Metal Joint Training Committee; Gerald Bellovary (self); Arizona Chamber of Commerce; Arizona Carpenters Apprenticeship; Arizona Coalition Against Domestic Violence

AGAINST: Tucson Metropolitan Chamber of Commerce; Greater Phoenix Chamber of Commerce; National Federation of Independent Business; Arizona Retailers Association; Arizona Association of Industries

NEUTRAL: Department of Economic Security; Arizona Builders' Alliance

SB1283 rabies quarantine; procedures (Verkamp)

Places authority to declare a rabies quarantine area with the county board of supervisors. Allows a local health department to recommend the declaration of a rabies quarantine area to the county board of supervisors; requires the State Veterinarian to develop rather than approve the regulation of livestock movement in a rabies quarantine area.

FOR: Arizona Cattleman's Association; County Supervisors Association

AGAINST: None

SB1287 adoption (Daniels)

Codifies the notice to a potential father of a planned adoption, requires completion of a paternity action if consent to adopt is withheld and deems sexual intercourse as notice of pregnancy.

FOR: Michael Herrod (self); Heidi LaPointe (self)

AGAINST: None

SB1365 hauling horses; two-tier vehicles (Guenther)

Prohibits the transporting of equines in two-tiered vehicles and prescribes the penalties for violating this prohibition. Specifies that a person is prohibited from transporting or causing or allowing to be transported to a slaughtering establishment any equine in or on a multitiered vehicle. Requires the animal cargo space of vehicles transporting equines to slaughter be designed, constructed and maintained in a way that protects the health of the equines being transported, including a means to segregate aggressive equines, have sufficient interior height to allow each equine to stand normally and be equipped with sufficiently sized ramps and doors for safe loading and unloading of the equines. Requires an owner or shipper to provide each equine with appropriate food, water and the opportunity to rest at most 6 hours prior to the transportation of the equines to slaughter and provide each equine with enough floor space on the vehicle to prevent crowding, injury, or discomfort. Requires an owner or shipper, during transit to a slaughtering establishment, to drive in a manner to avoid injury to the equines, check the physical condition of the equines at least once every 6 hours, and obtain veterinary assistance for distressed equines. Specifies nonambulatory equines must be euthanized as soon as possible by a veterinarian. Requires equines on a vehicle for 28 consecutive hours be off loaded and provided appropriate food, water, and 5 consecutive hours of rest. Specifies the transportation of equines to slaughter must be completed as carefully and expeditiously as possible to avoid unnecessary discomfort, stress, physical harm, or trauma to the equines. Prohibits the use of electric prods on equines being transported to slaughter, except when human safety is threatened.

FOR: None

AGAINST: Scott Honeycutt (self); Roy Honeycutt (self); Jerry Honeycutt (self); Arizona's Cattlemen's Association

SB1366 watercraft; extreme intoxication (Guenther)

Creates the new crime of operating a motorized watercraft while under the extreme influence of intoxicating liquor and sets the minimum blood alcohol concentration level at .15. Clarifies that operating a motorized watercraft while under extreme influence of intoxicating liquor (extreme DUI) is a class 2 misdemeanor and is not a petty offense like some other boating violations. Makes technical changes.

FOR: Arizona Association of Counties; Maricopa County Attorney's Office

AGAINST: None

SB1399 residential contractors' recovery fund (Gerard)

Makes numerous changes to update the statutes governing the residential contractors' recovery fund. Increases the minimum level of the recovery fund and the maximum payout per licenses to \$200,000. Increases the amount of the additional surety bond or cash deposit furnished by a dual licensed contractor or residential contractor to \$200,000. Increases to \$30,000 the amount a claimant can collect from the recovery fund in addition amount collected from the contractors' license bond or other sources, provided the damages are greater than the maximum allowed per homeowner. Requires the Register to notify a contractor of a recovery fund claim or award.

FOR: Registrar of Contractors

AGAINST: None

NEUTRAL: Home Builders Association of Central Arizona; National Spa and Pool Institute

SB1430 victims' rights; orders of protection (Hamilton)

Adds hearings for orders of protection to the list of events in which a victim of crime has a right to leave work to attend. Requires an employee who is exercising the right to leave work to provide the employer with written verification of a proceeding issued by the court in the event law enforcement documentation is not applicable.

SB1432 residential and commercial mold; study committee (Hamilton)

Establishes the Joint Legislative Study Committee on Residential and Commercial Mold Contamination to study financial, environmental and health effects of indoor mold contamination. Adds representatives of residential and commercial properties and pest control management, and one representative from the House and Senate.

FOR: Arizona Pest Management Association; Farmers Insurance; NAI; Allstate; American Family Insurance; Community Associations Institute; George and Marg Veit (self); Aerotech Laboratories, Inc.

AGAINST: Home Builders of Central Arizona Home Builders; Arizona Department of Environmental Equality

NEUTRAL: Arizona Multihousing Association; AZBOMA

SB1434 Now: foster care support (Hamilton)

Requires the juvenile court to order one or both parents of a child placed in foster care to pay child support to the Department of Economic Security (DES), to use child support factors pursuant to marital relations statutes. Establishes a foster care support fund and allocates reimbursement priorities. Clarifies that child support order ends when the child returns home or is emancipated under current law. Removes specific language to be consistent with federal law and programs.

FOR: None

AGAINST: None

NEUTRAL: Arizona Department of Economic Security

SCR1019 appropriation of federal monies (Gnant)

Subject to voter approval at the next general election, authorizes the Legislature to appropriate noncustodial federal monies, the purpose of which must be consistent with federal law.

CONSENT CALENDAR

SB1161 mortgage guaranty insurance (Cirillo)

Makes various changes to the regulation of mortgage guaranty insurance with respect to contingency reserves, approval by the Director of the Department of Insurance and increasing the loan amount for a home mortgage an insurer can insure.

FOR: Mortgage Guaranty Insurers of America

AGAINST: None

NEUTRAL: Arizona Department of Insurance

SB1180 small schools; textbooks; technical correction (Bennett)

Makes a technical change.

SB1308 charter school teachers; background checks (Blanchard)

Requires charter school instructors to obtain a valid class 1 or class 2 fingerprint clearance card and provides for background checks of potential charter school employees. Prohibits a charter school applicant from being issued a charter unless the applicant obtains a valid fingerprint clearance card and prohibits a charter school from employing teachers whose certification has been revoked due to stipulated offenses.

FOR: Arizona School Boards Association

AGAINST: None

SB1363 omnibus water bill (Guenther)

Makes a number of changes to the state water code (Title 45) and other statutes relating to the regulation of groundwater use.

FOR: City of Scottsdale; Arizona Department of Water Resources; City of Phoenix; Central Arizona Project; AMWUA; Flowing Wells Irrigation District; Salt River Project; Agribusiness Council of Arizona

AGAINST: None

SB1364 gaming department; background checks; penalties (Guenther)

Authorizes the Department of Gaming to impose civil penalties against a certificate holder for violations of gaming regulations.

FOR: Department of Gaming

AGAINST: None

SB1368 navigable stream adjudication commission; continuation (Guenther)

Changes the termination date of the Navigable Stream Adjudication Commission from June 30, 2004 to June 30, 2006.

FOR: Stream Commission; Salt River Project; Arizona State Land Department; Phelps Dodge; Arizona Farm Bureau

AGAINST: Sierra Club

SB1370 fishing tournament penalties; repeal (Guenther)

Eliminates the penalty for conducting a fishing contest without permit from the Arizona Game and Fish Department.

FOR: Arizona Game and Fish Department

AGAINST: None

SB1417 elected officials; retirement; return; pension (Bennett)

Retroactive to January 1, 1997, allows a retired member of the Elected Officials' Retirement Plan to continue to receive a pension if the member is elected or reelected to the same office more than one full term after the member retired.

FOR: County Supervisors Association; Patsy Jenney-Colon (self)

AGAINST: None

NEUTRAL: Arizona PSPRS, CORP, EORP

SB1425 state parks board; annual report (Mitchell)

Changes the deadline for the State Parks Board to submit the annual report.

FOR: None

AGAINST: None

NEUTRAL: Arizona State Parks

SB1431 industrial hemp study (Hamilton)

Requires state universities to conduct a study on the feasibility and the desirability of industrial hemp production in Arizona if they receive private funding to conduct the study.

FOR: None

AGAINST: Maricopa County Attorney's Office; Arizona Association of Chiefs of Police; Arizona County Attorney & Sheriffs Association; Mesa Police Department

SB1458 open meetings; agenda exception (Mitchell)

Allows a member of a public body, during a public meeting, to present a brief summary of current events without listing in the agenda the specific matters to be summarized.

FOR: Central Arizona Project; League of Arizona Cities and Towns; City of Tempe; Jack Lasota (self); County Supervisors Association

AGAINST: None

SB1470 uniform custodial trust act (Petersen)

Adopts the Uniform Custodial Trust Act, allowing use of custodial trusts.

SR1002 silver haired legislature; commendation (Gnant)

Honors the Arizona Silver Haired Legislature.

HB2022 water; best management practices; agriculture (Gleason)

Requires the Director of the Department of Water Resources to establish a Best Management Practices program as a voluntary alternative conservation program for agricultural uses of groundwater for the Third Management Period (2000-2010). Prescribes a specific irrigation efficiency standard for calculating water duties.

HB2514 appropriations; named claimants (Knaperek)

Appropriates \$171,750.68 from the state general fund and \$12,554.75 from other funds to the Department of Administration to settle claims made against several state agencies.

CAUCUS CALENDAR

(Bills on calendar pending action by Committee on Rules)
March 25, 2002

Health Committee

****SB 1087 health facilities; bonding authority (CIRILLO)**

Expands the ability of the Arizona Health Facilities Authority to provide financing for health care projects. *Finance Amendment*: Eliminates language that allows the Authority to issue bonds to out of State health care entities when the project is located in Arizona.

FOR: Arizona Health Facilities Authority

AGAINST: None

HEALTH 1/29/2002 DP (8-0-0-0)

FIN 3/18/2002 DPA (5-0-3-0)

RULES 3/20/2002 PFC

Dem Caucus Action: H Rep Caucus Action: Y

SB 1270 biotechnology research; appropriation (GERARD)

Health Strike Everything Amendment: Appropriates \$500,000 annually for ten years beginning in FY 2002-2003 from the health research fund for a biotechnology medical research foundation.

FOR: Arizona Medical Association; City of Phoenix; Arizona Pharmacy Association; Arizona Software and Internet Association

AGAINST: None

HEALTH 3/12/2002 DPA/SE (5-1-2-0) (Voting No: HARTLEY)

APPROP 3/19/2002 DP (10-0-2-0)

RULES None

****SB 1341 hospitals; emergency services (GERARD)**

Requires general hospitals, rural general hospitals and certain special hospitals to provide emergency services 24 hours a day, 7 days a week in a designated hospital area. *Health Amendment*: Eliminates the transfer agreement and maintaining privileges at general hospitals requirements for special hospitals and outpatient surgical centers.

FOR: Arizona Hospital and Healthcare Association; Vanguard Health Systems; St. Josephs Hospital; Arizona Association of Retired Persons; Banner Health System; Desert Samaritan Medical Center

AGAINST: None

NEUTRAL: Todd Taylor (self); Arizona Medical Association

HEALTH 3/12/2002 DPA (6-0-2-0)

RULES 3/18/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

Appropriations Committee

SB 1060 finances; technical correction (SOLOMON)

Appropriations Strike Everything Amendment: Makes supplemental appropriations for FY 2001-2002 to address Title XIX and Department of Education caseload growth. Reduces state general fund operating expenses and transfers fund monies from various other funds to the state general fund in order to reconcile an anticipated FY 2001-2002 state general fund shortfall. *Appropriations Amendment*: Makes a lump sum reduction to the office of tourism for FY 2002; makes technical changes.

FOR: None

AGAINST: Arizona Technology Association of Southern Arizona; AZSoft.net; Arizona Software and Internet Association; Arizona Association of Industries

APPROP 2/12/2002 DPA/SE (10-1-1-0) (Voting No: MARTIN)
 RULES None

Commerce Committee****SB 1296 telemarketing; Arizona no call list (BEE)**

Establishes a "no call list" in the Office of the Secretary of State of people who do not wish to receive telephone solicitations and requires the Attorney General to enforce the "no call list." *Commerce Amendment*: adds telephone solicitations made by or on behalf of a newspaper for the purpose of soliciting subscriptions to the list of exemptions to the no call list law; Applies the no call list requirements to all sellers regardless of registration status; Requires the Secretary of State to prescribe by rule the procedure for publishing an official no call list on a quarterly basis; Allows the Secretary of State to contract with a national no call list program if the organization meets certain requirements; Requires the Secretary of State to send the no-call list to any federal agencies that maintain a national no call list program; Exempts sellers or solicitors from liability for no call list violations if they have established a written procedure to comply with the no call list provisions, they have trained their personnel according to those procedures and the call made was due to error; Modifies the exemption with respect to a seller with whom the subscriber has had an established business relationship, so that the relationship: Existed within the preceding 12 months, instead of 180 days and did not exist in a monopoly relationship and the seller is calling in relation to the relationship or invitation; Modifies the subscriber civil cause of action by allowing two unauthorized phone solicitations before enforcement, decreasing the recovery of damages from \$5000 to \$1000 and allowing attorney fees, costs and damages to be recovered instead of whichever is greater. *Rules Amendment*: Makes technical corrections; Removes unnecessary exemptions for political speech and polling.

FOR: Arizona Newspapers Association; Phoenix Newspapers Inc.; Secretary of State; Attorney General

AGAINST: XO Communications; Arizona Bankers Association; Arizona Competitive Telecommunications Coalition; Dehart and Darr; Sprint; Arizona Retailers Association; MCI WorldCom; AT&T; Jamieson and Gutierrez, Inc.; Cox Communications; American Express

NEUTRAL: Randy Cross (self);

COM 3/13/2002 DPA (5-0-1-0)

RULES 3/20/2002 PFCA W/FL

Dem Caucus Action: Y Rep Caucus Action: H

Executive Nominations:

Samuel L. Baird, Board of Manufactured Housing

COM Vote: 5/0/1

Rita Carrillo, Arizona Housing Finance Authority

COM Vote: 6/0/0

Ross Andrew McCallister, Arizona Housing Finance Authority

COM Vote: 6/0/0

Brian S. Mickelson, Arizona Housing Finance Authority

COM Vote: 6/0/0

Clifford E. Potts, Arizona Housing Finance Authority

COM Vote: 6/0/0

Stephanie Prudence, Arizona Housing Finance Authority

COM Vote: 6/0/0

Education Committee

****SB 1464 schools; L.E.A.P. programs (BENNETT)**

Makes numerous changes to provisions associated with the local education accountability program. *Education Amendment:* If an existing LEAP school or other selected schools are in compliance with LEAP requirements, it should continue to operate in the LEAP program during the next school year. Provides an exception to the provision that prohibits a school with a "failing school" achievement profile for the preceding year from being eligible to participate in the LEAP program. This applies if it has employed a new principal who wishes to participate in the LEAP program after that profile designation has been determined. Removes the April 1 deadline for the school district governing board to approve or disapprove of the application.

FOR: Association of Arizona School Administrators; Chandler Unified School District; Arizona School Boards Association; Tucson Area Schools

AGAINST: None

ED 3/14/2002 DPA (5-2-1-0) (Voting No: HARTLEY,PETERSEN)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

Executive Nominations:

Dale Allen Walters

ED Vote: 6/0/2

Finance Committee

SB 1227 statute of limitations; tax filings (BUNDGAARD)

Proposed Strike Everything Amendment: campaign finance reform

FOR: Americans for Tax Reform

AGAINST: None

FIN 3/18/2002 DPA/SE (7-0-1-0)

GOV 3/21/2002 DISC PETITION

RULES 3/21/2002 DISC PETITION

SB 1455 income tax credit; nurses (GNANT)

Creates a tax credit for the cost of post-secondary education tuition and fees for licensed nurses working in Arizona.

FOR: Arizona Nurses Association

AGAINST: None

NEUTRAL: Department of Revenue

FIN 3/18/2002 DP (5-2-1-0) (Voting No: DANIELS, CIRILLO)

RULES 3/20/2002 HELD

Government Committee

****SB 1102 cities and towns; technical correction (MITCHELL)**

Makes technical changes.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1103 counties; technical correction (MITCHELL)**

Makes technical changes.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1110 state government; technical correction (BLANCHARD)**

Makes technical changes.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1111 state government; lands; technical correction (BLANCHARD)**

Makes technical changes.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1346 Arizona correctional industries; technical correction (GUENTHER)**

Makes a technical change.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1347 private prisons; technical correction (GUENTHER)**

Makes a technical change.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

****SB 1348 special services fund; technical correction (GUENTHER)**

Makes a technical change.

GOV 3/15/2002 DP (4-0-2-0)

RULES 3/20/2002 PFC

Dem Caucus Action: Y Rep Caucus Action: H

SB 1378 state employees; Arizona government university (SOLOMON)

Establishes the Arizona Government University to design, implement and administer a statewide employee training program. *Appropriations Amendment:* Requires the JLBC to approve any fees for the program administered by AZGU as recommended by the director of DOA and any change in the rate established for payments being made by a state agency to AZGU and it exempts the Legislature, Judiciary, Arizona Board of Regents and Universities from its authority.

FOR: ADOA; Arizona Government University

AGAINST: None

GOV 3/18/2002 DP (5-0-1-0)

APPROP 3/12/2002 DPA (9-1-2-0) (Voting No: BEE)

RULES 3/20/2002 HELD

SB 1440 collective bargaining; public safety employees (VALADEZ)

Government Strike Everything Amendment: Establishes collective bargaining for public safety employees of the State and political subdivisions. *Government Amendment:* Prohibit the collective bargaining agreement from requiring a police agency to exceed its charter. Repeals collective bargaining as of January 1, 2009.

FOR: Fraternal Order of Police; Ballard Bullion (self)

AGAINST: League of Arizona Cities and Towns; Arizona Association of Counties; Arizona Criminal Justice Commission; City of Surprise; City of Glendale; City of Goodyear; Arizona Association of Chiefs of Police; Phoenix Police Department; City of Mesa Police Department; City of Tempe

GOV 3/18/2002 DPA/SE (5-0-1-0)

JUD 3/19/2002 W/D

RULES None

Executive Nominations:

Craig Andrew Stender

GOV Vote: 4/0/2

Transportation Committee**SB 1026 appropriation; motorcycle safety (SMITH)**

Appropriates \$80,00 in FY 2002-2003 from the motorcycle safety fund to the Arizona Department of Transportation for motorcycle education programs.

FOR: American Brotherhood Aimed Toward Education; Arizona Confederation of Motorcycle Clubs; Modified Motorcycle Association

AGAINST: none

NEUTRAL: none

TRANS 1/24/2002 DP (6-0-2-0)

APPROP 3/19/2002 DP (10-0-2-0)

RULES None

SB 1372 appropriation; community airport grants. (GUENTHER)

Appropriates \$500,000 in FY 2002-2003 from the Economic Strength Project (ESP) fund to the Arizona Department of Transportation (ADOT) for small community air service and airport upgrades for communities receiving federal monies for small community air service development. *Appropriations Amendment:* Reduces the appropriation and changes the source of the appropriation from the state aviation fund to the ESP fund. Requires the Board to adopt policies and procedures for awarding of grants. Specifies any monies remaining in the special account by the end of FY 2005-2006 will revert back to the ESP fund. Contains a retroactivity clause of June 30, 2002.

FOR: Tucson Airport Authority, Representative Binder (District 1); Arizona Tourism Alliance

AGAINST: Arizona Airports Association; City of Phoenix

NEUTRAL: Arizona Department of Transportation

TRANS 3/14/2002 DP (4-3-1-0) (Voting No: DANIELS, BEE, BURNS)

APPROP 3/19/2002 DPA (10-0-2-0)

RULES None

Executive Nominations:

Dwight Donald Amery

TRANS Vote: 6/0/2

Fred Rockne Arnett

TRANS Vote: 6/0/2